

AMENDED IN ASSEMBLY JANUARY 13, 2016

AMENDED IN ASSEMBLY JANUARY 5, 2016

AMENDED IN ASSEMBLY JANUARY 4, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1449**

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**Introduced by Assembly Member Lopez**

February 27, 2015

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An act to amend Section 69436 of the Education Code, relating to student financial aid.

LEGISLATIVE COUNSEL'S DIGEST

AB 1449, as amended, Lopez. Student financial aid: California Community College Transfer Cal Grant Entitlement Program.

Existing law, the Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Program, establishes the Cal Grant A and B Entitlement awards, the California Community College Transfer Cal Grant Entitlement awards, the Competitive Cal Grant A and B awards, the Cal Grant C awards, and the Cal Grant T awards under the administration of the Student Aid Commission, and establishes eligibility requirements for awards under these programs for participating students attending qualifying institutions.

Under the California Community College Transfer Cal Grant Entitlement Program, a student who transfers from a California community college to a qualifying institution that offers a baccalaureate degree receives a Cal Grant A or B award if the student meets specified requirements, among which is that the student graduate from a California high school or its equivalent during or after the 2000–01 academic year.

This bill would instead require that the student receiving a California Community College Transfer Cal Grant Entitlement award either graduate from a California high school or its equivalent during or after the 2000–01 academic year or, *if he or she did not graduate from high school or its equivalent*, be a California resident, as defined, on his or her 18th birthday. ~~The bill would specify certain documents that a student could use to verify that he or she satisfies this requirement.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 69436 of the Education Code is amended  
2 to read:
- 3 69436. (a) A student who was not awarded a Cal Grant A or  
4 B award pursuant to Article 2 (commencing with Section 69434)  
5 or Article 3 (commencing with Section 69435) at the time of his  
6 or her high school graduation but, at the time of transfer from a  
7 California community college to a qualifying baccalaureate  
8 program, meets all of the criteria set forth in subdivision (b), shall  
9 be entitled to a Cal Grant A or B award.
- 10 (b) Any California resident transferring from a California  
11 community college to a qualifying institution that offers a  
12 baccalaureate degree is entitled to receive, and the commission,  
13 or a qualifying institution pursuant to Article 8 (commencing with  
14 Section 69450), shall award, a Cal Grant A or B award depending  
15 on the eligibility determined pursuant to subdivision (c), if all of  
16 the following criteria are met:
- 17 (1) A complete official financial aid application has been  
18 submitted or postmarked pursuant to Section 69432.9, no later  
19 than the March 2 of the year immediately preceding the award  
20 year.
- 21 (2) The student demonstrates financial need pursuant to Section  
22 69433.
- 23 (3) The student has earned a community college grade point  
24 average of at least 2.4 on a 4.0 scale and is eligible to transfer to  
25 a qualifying institution that offers a baccalaureate degree.
- 26 (4) The student's household has an income and asset level not  
27 exceeding the limits set forth in Section 69432.7.

1 (5) The student is pursuing a baccalaureate degree that is offered  
2 by a qualifying institution.

3 (6) He or she is enrolled at least part time.

4 (7) The student meets the general Cal Grant eligibility  
5 requirements set forth in Article 1 (commencing with Section  
6 69430).

7 (8) The student will not be 28 years of age or older by December  
8 31 of the award year.

9 (9) The student graduated from a California high school or its  
10 equivalent during or after the 2000–01 academic year, or *did not*  
11 *graduate from high school or its equivalent and* was a California  
12 resident, as determined pursuant to Article 5 (commencing with  
13 Section 68060) of Chapter 1 of Part 41, on his or her 18th birthday.  
14 ~~A student may verify that he or she satisfies the requirements of~~  
15 ~~this paragraph by the presentation of documents that may include,~~  
16 ~~but not necessarily be limited to, a California driver's license,~~  
17 ~~California identification card, high school transcript, or records of~~  
18 ~~a judicial proceeding.~~

19 (10) (A) Except as provided for in subparagraph (B), the student  
20 attended a California community college in the academic year  
21 immediately preceding the academic year for which the award will  
22 be used.

23 (B) A student otherwise eligible to receive an award pursuant  
24 to this section, who attended a California community college in  
25 the 2011–12 academic year, may use the award for the 2012–13  
26 and 2013–14 academic years.

27 (c) The amount and type of the award pursuant to this article  
28 shall be determined as follows:

29 (1) For applicants with income and assets at or under the Cal  
30 Grant A limits, the award amount shall be the amount established  
31 pursuant to Article 2 (commencing with Section 69434).

32 (2) For applicants with income and assets at or under the Cal  
33 Grant B limits, the award amount shall be the amount established  
34 pursuant to Article 3 (commencing with Section 69435).

35 (d) (1) A student meeting the requirements of paragraph (9) of  
36 subdivision (b) by means of high school graduation, rather than  
37 its equivalent, shall be required to have graduated from a California  
38 high school, unless that California resident graduated from a high  
39 school outside of California due solely to orders received from a  
40 branch of the United States Armed Forces by that student or by

1 that student's parent or guardian that required that student to be  
2 outside of California at the time of high school graduation.

3 (2) For the purposes of this article, both of the following are  
4 exempt from the requirements of subdivision (e) of Section 69433.9  
5 and paragraph (9) of subdivision (b) of this section:

6 (A) A student for whom a claim under this article was paid prior  
7 to December 1, 2005.

8 (B) A student for whom a claim under this article for the  
9 2004–05 award year or the 2005–06 award year was or is paid on  
10 or after December 1, 2005, but no later than October 15, 2006.

11 (3) (A) The commission, or a qualifying institution pursuant  
12 to Article 8 (commencing with Section 69450), shall make  
13 preliminary awards to all applicants currently eligible for an award  
14 under this article. At the time an applicant receives a preliminary  
15 award, the commission, or a qualifying institution pursuant to  
16 Article 8 (commencing with Section 69450), shall require that  
17 applicant to affirm, in writing, under penalty of perjury, that he or  
18 she meets the requirements set forth in subdivision (e) of Section  
19 69433.9, paragraph (9) of subdivision (b) of this section, and  
20 paragraph (1) of this subdivision. The commission, or a qualifying  
21 institution pursuant to Article 8 (commencing with Section 69450),  
22 shall notify each person who receives a preliminary award under  
23 this paragraph that his or her award is subject to an audit pursuant  
24 to subparagraph (B).

25 (B) The commission shall select, at random, a minimum of 10  
26 percent of the new and renewal awards made under subparagraph  
27 (A), and shall require, prior to the disbursement of Cal Grant funds  
28 to the affected postsecondary institution, that the institution verify  
29 that the recipient meets the requirements of subdivision (e) of  
30 Section 69433.9, paragraph (9) of subdivision (b) of this section,  
31 and paragraph (1) of this subdivision. An award that is audited  
32 under this paragraph and found to be valid shall not be subject to  
33 a subsequent audit.

34 (C) Pursuant to Section 69517.5, the commission shall seek  
35 repayment of any and all funds found to be improperly disbursed  
36 under this article.

37 (D) On or before November 1 of each year, the commission  
38 shall submit a report to the Legislature and the Governor including,  
39 but not necessarily limited to, both of the following:

- 1 (i) The number of awards made under this article in the
- 2 preceding 12 months.
- 3 (ii) The number of new and renewal awards selected, in the
- 4 preceding 12 months, for verification under subparagraph (B), and
- 5 the results of that verification with respect to students at the
- 6 University of California, at the California State University, at
- 7 independent nonprofit institutions, and at independent for-profit
- 8 institutions.

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